

**TIDEWATER REGIONAL  
LOCAL HUMAN RIGHTS COMMITTEE  
June 14, 2011 – 8:30 a.m.  
MINUTES**

**PRESENT**

Charlene Wimbish, Visitor- General Public  
Chris Kearney, Administrator – Kempsville  
Dana Gillentine, Director of PI/Risk Management – Crawford  
Delinda Patterson Swanston, LHRC Vice Chairperson  
Fran Neaves, Director of PI/Risk Management, Virginia Beach Psychiatric Center  
Hillary Zaneveld, Human Rights Advocate, DBHDS  
Jacqueline Lipscomb, Risk Manager - Brighton  
James A. Overton, LHRC Chairperson  
Kawanna Ward, Clinical Director of Mental Health Services, First Home Care  
Marie Henrich, Senior Administrative Assistant – Crawford  
Natalie Elliott, Administrator, Crawford  
Paula Harr, Director of QMS – First Home Care  
Reginald T. Daye, Regional Advocate, DBHDS  
Stacey Durr, Chief Operating Officer & Interim Administrator (Brighton) – Pines RTC  
Vonda Harrison, Director of PI/Risk Management – Brighton  
Brian Montella- LHRC Member

**ABSENT**

Felicia Sawyer, LHRC Member  
Janet Martin, LHRC Member  
Kerry Knott, Chief Executive Officer, Crawford  
Stacie Olander, Community Based Supervisor, First Home Care

**I. CALL TO ORDER**

The Local Human Rights Committee meeting was called to order at 8:55 a.m. by James Overton, LHRC Chairperson.

**II. REVIEW OF MINUTES**

The minutes for the meeting of March 8, 2011 were reviewed. Delinda Patterson-Swanston made a motion to approve the minutes. Brian Montella seconded the motion and all members present voted to accept.

**III. PUBLIC COMMENTS – There was no public comment.**

**IV. UNFINISHED BUSINESS**

The Pines RTC, First Home Care and Virginia Beach Psychiatric Center submitted their signature pages to Reginald Daye indicating they have received a copy of the Cooperative Agreement that was discussed in the previous meeting. The Bylaws and Cooperative Agreement were approved at the last State Human Rights Committee.

**V. NEW BUSINESS**

- A. FHC – Affiliation for Day Treatment at John Tyler Elementary School and Foundation House – Paula Harr – Regular affiliation was requested for Day Treatment at John Tyler Elementary School and Foundation House. Ms. Harr stated this would just be for their summer program and then they would begin doing day treatment in the school.

Motion: Delinda Patterson-Swanston made a motion to approve permanent affiliation for the Fort Lane Resource Center.

Action: Second was made by Brian Montella.

- B. Provider Annual/Quarterly Report of Human Rights Activities – Reginald Daye – Mr. Daye provided a brief overview of the Annual/Quarterly Reports which were requested by the State Human Rights Committee. Mr. Daye stated that the Pines would be able to continue submitting their quarterly allegation report (detailed report) and attach that report to the provider annual/quarterly report instead of duplicating the information. Each campus of the Pines (Crawford, Brighton and Kempsville) along with First Home Care and Virginia Beach Psychiatric Center must submit this report. On page 2 of the Provider Quarterly Report under “Complaint Resolution Level” Mr. Daye indicated that per the regulations, if an individual does not specify how they want the complaint investigated it defaults to informal vs. formal. The complaints must still be reported to Reginald Daye’s office within 24 hours. Prior to 2007 informal complaints were not reportable if they were able to be resolved within 5 days. “Commissioner” level does not apply to the Pines, FHC and VBPC.

Annual Reports will be due in January or February 2012 (third quarter meeting).

## VI. STANDING REPORTS

General Information - Fran Neaves announced Virginia Beach Psychiatric Center had their licensing survey in May 2011 and have been approved for their tri-annual survey.

Reginald Daye introduced their new Human Rights Advocate, Hillary Zaneveld and his new secretary, Annette Joseph-Walker (not in attendance). Mr. Daye requested that the Pines, FHC and VBPC give a brief description of their programs in order to familiarize Ms. Zaneveld. Mr. Daye announced their office is currently moving into another building but they can be reached at the same phone number and fax number.

### Overview of Allegation Reports

Location	December	January	February
FHC- Oyster Point Academy	24	10	22
FHC- Northampton Schools	0	0	0
FHC –Brighton	0	0	0

Elementary			
FHC- Fort Lane	0	0	0
FHC – Day Support	0	0	0
FHC – Mental Health Support	0	0	0
VBPC	2 – altercations 1-informal complaint	1-sexual familiarity 2-informal complaints	2-informal complaints 1-sexual familiarity
The Pines- Kempsville	67	74	48
The Pines - Crawford	51	42	16
The Pines - Brighton	50	42	38

**Seclusion and Restraint Reports** – Mr. Daye requested a current census from each facility:

VBPC – current census = 79

Kempsville – current census = 30

Brighton – current census = 50

Crawford – current census = 43

FHC – current census = approximately 100

**(S=Seclusion) (MR=Mechanical) (PR=Physical) (CR=Chemical)**

Location	December	January	February
FHC- Oyster Point Academy	22	8	16
FHC- Northampton Schools	0	0	0
FHC –Brighton Elementary	0	0	0
FHC – Fort Lane	0	0	0
FHC – Day Support	0	0	0

FHC – Mental Health Support	0	0	0
VBPC	S=5 MR=1 PR=4 CR=0	S=0 MR=1 PR=0 CR=0	S=6 MR=8 PR=2 CR=0
The Pines Kempsville	PR=84 S=81	PR=108 S=68	PR= 50 S= 13
The Pines - Crawford	PR-106 S-0	PR-75 S-0	PR-49 S-0
The Pines - Brighton	PR-49 S- 0	PR-39 S - 0	PR-61 S-1

**C. Reports on Structured Living Protocol**

**VBPC:** 1

**The Pines:** 0

**D. ALLEGATION REPORTS – CLOSED SESSION**

**Motion:** James Overton made a motion that the committee go into Executive Session, pursuant to Virginia Code 2-2-3711A (4) for the protection of the privacy of individuals in personal matters not related to public business, namely to review patient information from First Home Care, The Pines Residential Treatment Center and Virginia Beach Psychiatric Center, pursuant to the regulations.

**Action:** Second was made by Brian Montella and Delinda Patterson-Swanston. All members present voted in favor of the motion.

**Reconvened in Open Session:** Upon reconvening in Open Session, James Overton, Delinda Patterson-Swanston and Brian Montella of the Tidewater Regional LHRC certified to the best of their knowledge that only public business matters exempt from statutory open meeting requirements and only public business matters identified in the motion to convene the Executive Session were discussed in accordance to Virginia Code 2-2-3711A (4).

During the review of abuse cases while in closed session, it was noted that the use of the “Matrix- Point Level System” was still being used on the units. Mr. Daye informed the administrative staff that the SHRC had terminated the Pines variance on March 4, 2011, which

allowed it to use the “Matrix- Point Level System”. In order for the Pines to use the program, a new variance request would need to be submitted as outlined in the human rights regulations. It was also explained, should the program seek to revise the Matrix- Point Level System to comply with the human regulations, it would still need to be submitted to the Tidewater Regional LHRC for review and approval prior to implementation as a program rule. A copy should also be submitted to his office for review and comment. Mr. indicated that the Office of Licensure will be informed of the above noted.

**VII. NEXT SCHEDULED MEETING**

The next regular LHRC meeting is scheduled for Tuesday, September 13, 2011 in the Executive Board Room of The Pines – Crawford Campus.

**VIII. ADJOURNMENT**

There being no further business to discuss, Delinda Patterson-Swanston made the motion to adjourn. Brian Montella seconded the motion. The meeting was adjourned at 12:45 p.m.

**RESPECTFULLY SUBMITTED:**

Marie Henrich, Senior Administrative Assistant  
Recording Secretary

James A. Overton, LHRC Chairperson